

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Bayer HealthCare LLC

\_\_\_\_\_  
*Plaintiff(s)*

v.

Sergeant's Pet Care Products, Inc.

\_\_\_\_\_  
*Defendant(s)*

13 CIV 2501

Civil Action No. 13-cv-

JUDGE RAKOFF

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Sergeant's Pet Care Products, Inc.  
2637 South 158th Plaza  
Omaha, Nebraska 68130

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michael Schaper  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, New York 10022

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK  
CLERK OF COURT

Date: 04/15/2013

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) SERGEANT'S PET CARE PRODUCTS, INC  
 was received by me on (date) APRIL 15<sup>TH</sup>, 2013.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) GARRETT KALLHOFF, who is  
 designated by law to accept service of process on behalf of (name of organization) SERGEANT'S PET  
CARE PRODUCTS, INC on (date) 04-15-2013; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 04-16-2013

Barbara Stail  
 Server's signature

BARBARA STAIL, PROCESS SERVER  
 Printed name and title

621 South 28<sup>th</sup> St. Apt C, Lincoln, NE 68516  
 Server's address

Additional information regarding attempted service, etc: